

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated April 10, 2008, has been received and its contents carefully reviewed.

By this response, Applicants amend claim 8 and add claims 15-17. No new matter has been added. Accordingly, claims 1-9, 11-13 and 15-17 are currently pending, of which claims 1-7 are withdrawn as the result of an earlier restriction requirement. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office rejects claims 8-9 and 11-13 under 35 U.S.C. §112, first paragraph, as filing to comply with the written description requirement. The claim(s) contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

While not necessarily agreeing with the Office, Applicants have amended claim 8 to further prosecution. Accordingly, Applicants respectfully request the Office to withdraw the rejection of claim 8.

The Office rejects claims 8 and 11-12 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2001/0012920 to Hashimoto et al. (hereinafter "Hashimoto") in view of the Applicant's Discussion of the Related Art (hereinafter "Related Art") and JP 64-059823 to Kawabe et al. (hereinafter "Kawabe"). The Office rejects claim 13 under 35 U.S.C. §103(a) as being unpatentable over Hashimoto in view of the Related Art and Kawabe and further in view of U.S. Patent Publication No. 2003/0083203).

Applicants respectfully traverse the rejection to claims 8 and 11-13 and request reconsideration. Claim 8 and 11-13 are allowable at least in that each of these claims recites a combination of elements, including, for example, "determining a residual number of dispensings remaining in the syringe". None of the cited references, including Hashimoto, Related Art and Kawabe, alone or in combination, teaches or suggests at least these features of the claimed invention.

Additionally, Applicants note that the Related Art discloses a technique for detecting the residual quantity of a sealant that remains in a syringe. Specifically, the operator calculates a consumed quantity of sealant by calculating a length of the seal pattern to estimate a residual quantity of sealant remaining in the syringe. However, there is a problem in that the residual quantity of sealant estimated by the related art method differs from the actual quantity of sealant. *See paragraphs 0016-0017.* In contrast, the presently claimed invention precisely detects the residual quantity of dispensing material. Applicants respectfully request that the Patent Office consider that one of ordinary skill in the art would not have recognized this increase in precision. Accordingly, Applicants respectfully request withdrawal of the rejections of claims 8 and 11-13.

Furthermore, new claims 15-17 are allowable at least in that they depend from claims 8 and 11-12, which are allowable.

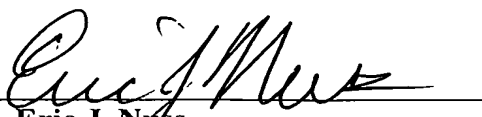
Applicants believe the above amendments and remarks place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

Dated: August 11, 2008

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